

SEPTEMBER 2003 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, September 9, 2003, at 9:45 a.m. and Wednesday, September 10th at 8:30a.m in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 3, 4 (8/6/03, 8/20/03, 9/3/03)
Also refer to: 4/30/03, 5/14/03, 5/28/03, 6/11/03

		Bulletin	Page
9:45	EDUCATION DEPARTMENT[281] Carol Greta 1-5295 special review Iowa Public Charter Schools, Ch. 68		selective
10:00	EDUCATION DEPARTMENT[281] Carol Greta 1-5295 special review August starting dates for school.....		selective
10:30	MEDICAL EXAMINERS BOARD[653] Ann Mowery 2-6039 PUBLIC HEALTH DEPARTMENT[641]“umbrella” Standards of practice; principles of professional ethics, ch 13 title, 13.7, 13.10, 13.20, 13.21; rescind ch 18, <u>Notice ARC 2707B</u> Iowa physician health committee, 14.2, 14.3, 14.5, 14.7(1)“a,” 14.9(3), 14.10, 14.11, <u>Notice ARC 2704B</u> Physician supervision of a physician assistant, ch 21 title, 21.1, <u>Notice ARC 2545B</u> , <u>Terminated ARC 2706B</u> Physician supervision of a physician assistant, ch 21 title, 21.1 to 21.5, <u>Notice ARC 2705B</u>	8/20/03 8/20/03 8/20/03 8/20/03 8/20/03 8/20/03	278 280 281 282
10:45	ADMINISTRATIVE SERVICES DEPARTMENT[11] Carol Stratemeyer 1-6134 Procurement of goods and services of general use; purchasing procedures for state agencies; special rules for the acquisition of data processing equipment, services, or software; centralized purchasing, rescind 401—chapters 7 to 9; adopt 11—chapter 105, <u>Notice ARC 2708B</u> HELD OVER FROM AUGUST Customer councils, adopt ch 10, <u>Notice ARC 2637B</u> , also <u>Filed Emergency ARC 2635B</u>	8/20/03	254 119
11:10	TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751] Ron Koontz 725-4708 Purchasing, 5.1 to 5.4, 5.12, 5.13, 5.15, 5.17 to 5.19, <u>Notice ARC 2697B</u>	8/20/03	291
11:30	UTILITIES DIVISION[199] Sharon Mayer 1-5256 COMMERCE DEPARTMENT[181]“umbrella” Second payment agreements, 19.4(10)“c,” 20.4(11)“c,” <u>Notice ARC 2724B</u> Customer rights and remedies to avoid disconnection, 19.4(15)“h”(3), 20.4(15)“h”(3), <u>Filed ARC 2681B</u>	9/3/03 8/6/03	332 229
	Temperature trigger for cold weather protections, 19.4(15)“h”(5), 19.4(15)“i,” 20.4(15)“h”(6), 20.4(15)“i,” <u>Notice ARC 2725B</u>	9/3/03	333
	Intrastate access service charges, 22.14(2)“d,” <u>Notice ARC 2680B</u>	8/6/03	203
	SPECIAL REVIEW: Session Delay Crossing of railroad rights-of-way, adopt ch 42, <u>Filed ARC 2506B</u>	5/28/03	1560
11:50	ARRC BUSINESS -set october meting,approve minutes, miscellaneous		
	12:00 to 1:00 Lunch		
1:00	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig Birth defects institute, 4.2, 4.3(1), 4.3(7)“c”(3), 4.3(8)“b,” 4.6, 4.6(4) to 4.6(6), <u>Notice ARC 2683B</u> Immunizations of persons attending elementary or secondary schools or licensed child care centers, 7.1, 7.3(1), 7.3(2), 7.4(6), 7.5, 7.6(1), 7.7(2), 7.9 to 7.11, <u>Notice ARC 2684B</u> Addition of varicella vaccine to list of immunizations required for enrollees in licensed child care centers or elementary and secondary schools, 7.4(5), 7.4(6)“e,” <u>Notice ARC 2653B</u> , also <u>Filed Emergency ARC 2652B</u> Out-of-hospital do-not-resuscitate orders, adopt ch 142, <u>Filed ARC 2682B</u>	8/6/03 8/6/03 8/6/03 8/6/03 8/6/03	184 186 212 223
	SPECIAL REVIEW Substances used in drug testing, 12.2	selective	

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1:40	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]	Melanie Johnson, 1-4862	
	Value-added agricultural products and processes financial assistance program,		
	57.2, 57.4, 57.6, 57.8, 57.10, <u>Notice ARC 2674B</u>	8/6/03	168
	New jobs and income program, 58.2, 58.4(3)“a,” “b” and “e,” 58.4(8)“a,”		
	58.7, 58.7(1)“d” and “f,” 58.7(4), 58.9, 58.14, 58.15, <u>Notice ARC 2675B</u>	8/6/03	170
	Cogeneration pilot program, adopt ch 62, <u>Filed Emergency ARC 2685B</u>	8/6/03	204
	New capital investment program, adopt ch 64, <u>Notice ARC 2676B</u>	8/6/03	174
2:10	GROW IOWA VALUES BOARD[264]	Melanie Johnson, 1-4862	
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]“umbrella”		
	Rules applicable to all chapters; grow Iowa values fund financial assistance,		
	adopt chs 1, 3, <u>Filed Emergency ARC 2698B</u>	8/20/03	301
2:45	HUMAN SERVICES DEPARTMENT[441]	Nancy Freudenberg 1-8438	
	Rent subsidy program, ch 53 preamble, 53.1, 53.2(2), 53.2(4), 53.2(5),		
	53.3(2), <u>Notice ARC 2658B</u> , also <u>Filed Emergency ARC 2654B</u>	8/6/03	205
	Food stamp eligibility for aliens, 65.37(4), <u>Filed ARC 2657B</u>	8/6/03	217
	Premiums assessed for coverage under the Medicaid for employed people with disabilities group,		
	75.1(39)“b”(1), <u>Notice ARC 2699B</u>	8/20/03	273
	Hospitals—payments from the graduate medical education and disproportionate share fund,		
	79.1(5)“a,” 79.1(5)“k”(1), 79.1(5)“y”(2), (3), (5) to (9), 79.1(16)“a” and “j,” 79.1(16)“j”(1),		
	79.1(16)“v”(2) and (3), 79.1(16)“w,” <u>Notice ARC 2700B</u>	8/20/03	274
	Adoption subsidy program, 130.3(3)“ab,” 201.1, 201.3(1)“c,” “g” and “h,” 201.3(2), 201.3(5),		
	201.4, 201.4(4), 210.4(4)“a” and “b,” 201.5(1), 201.5(2), 201.5(7), 201.5(9),		
	201.6(1)“a”(1), (2), (4), (6) and (7), <u>Notice ARC 2393B</u> , <u>Terminated ARC 2701B</u> ;		
	<u>Notice ARC 2701B</u>	8/20/03	276
	Dependent adult abuse, 176.6(12), 176.10(3)“b”(6) and (7), 176.10(3)“c”(8),		
	176.10(5), 176.10(6), 176.10(11), 176.13(2), 176.13(3),		
	<u>Notice ARC 2660B</u> , also <u>Filed Emergency ARC 2656B</u>	8/6/03	206
	Voluntary foster care placements, 202.3(1), 202.3(2), 202.3(3)“a” and “b,”		
	202.3(4), <u>Notice ARC 2659B</u> , also <u>Filed Emergency ARC 2655B</u>	8/6/03	207
	Held Over from August		
	Advanced registered nurse practitioners may serve as MediPASS patient managers,		
	88.41, 88.44(1) to 88.44(3), 88.44(3)“a,” 88.45(1), 88.45(2)“b” and “f,”		
	88.45(5)“a,” 88.46(6), 88.47(1)“b,” 88.48(1)“h,” 88.50(3),		
	<u>Notice ARC 2572B</u> , also <u>Filed Emergency ARC 2583B</u>	7/9/03	65
3:15	VETERANS AFFAIRS COMMISSION[801]	Susan Wilkinson 641-753-4388	
	Special review		
	Veterans home, assets and personal needs allowance, Ch. 10	selective	
	Wednesday-September 10th		
8:30	REAL ESTATE COMMISSION[193E]	Roger Hanson 1-7361	
	Professional Licensing and Regulation Division[193]		
	COMMERCE DEPARTMENT[181]“umbrella”		
	Reduction of license fees, 9.1, <u>Notice ARC 2673B</u>	8/6/03	189
	Trust accounts and closings, 13.1(2), 13.1(3),		
	13.1(11), <u>Notice ARC 2429B</u> <u>Terminated ARC 2739B</u>	9/3/03	332
8:45	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]	Ron Rowland 1-8619	
	Iowa organic program, 47.2, 47.3(2)“a” and “b,” 47.3(5)“a” and “b,” 47.3(5)“c”(3),		
	47.3(5)“d,” 47.4(2)“c” and “d,” 47.6, 47.7, 47.8(1), 47.9, 47.9(3), 47.10, 47.11, 47.11(1),		
	47.11(1)“b”(2), 47.12, <u>Notice ARC 2709B</u>	8/20/03	264
	Registration of exhibitions involving poultry, 60.4, <u>Filed ARC 2693B</u>	8/20/03	304
	Low pathogenic avian influenza (PLAID), 64.1, 64.185 to 64.192, <u>Notice ARC 2694B</u>	8/20/03	266
9:00	TRANSPORTATION DEPARTMENT[761]	Julie Fitzgerald 515-239-1362	
	Iowa transportation map, adopt ch 28, <u>Notice ARC 2688B</u>	8/20/03	295
	Utility accommodation, ch 115, <u>Notice ARC 2662B</u>	8/6/03	189
	Electronic information, 500.24, <u>Notice ARC 2689B</u>	8/20/03	295
	Motor carrier safety regulations,		
	520.1(1)“a,” 520.5, 520.6, <u>Notice ARC 2690B</u>	8/20/03	296

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9:20	ENVIRONMENTAL PROTECTION COMMISSION[567]	Marla Gallardo 1-8678			
NATURAL RESOURCES DEPARTMENT[561]“umbrella”					
Controlling air pollution—exemptions for certain equipment,					
22.1(2)“u” and “v,” <u>Filed ARC 2736B</u>				9/3/03 341	
Formed manure storage structures—concrete standards, 65.15(14), <u>Notice ARC 2716B</u>				8/20/03 269	
Waste tire management—update of parenthetical implementations,					
117.1 to 117.8, <u>Notice ARC 2717B</u>				8/20/03 271	
9:30	NATURAL RESOURCE COMMISSION[571]	Marla Gallardo 1-8678			
NATURAL RESOURCES DEPARTMENT[561]“umbrella”					
Bait dealer licenses—definitions of “retail” and “wholesale,”					
15.1(1), <u>Notice ARC 2728B</u>				9/3/03 327	
Use of decoys and stationary blinds on pools 16, 17, and 18					
of the Mississippi River, 51.5(1), 51.5(3), 51.5(4), <u>Filed Emergency After Notice ARC 2727B</u>				9/3/03 337	
Clear Lake State Park, ritz unit, added to after-hours fishing list,					
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Bobcat removed from list of threatened species, 77.2(2), <u>Notice ARC 2733B</u>				9/3/03 328	
Fishing regulations, 81.1, 81.2(1), 81.2(3), 81.2(12)“b,” <u>Notice ARC 2730B</u>				9/3/03 328	
Shovelnose sturgeon removed from and silver carp added to list					
of permissive catch on the Missouri River, 82.2(1), <u>Notice ARC 2731B</u>				9/3/03 330	
Taking and possession of mussels for sport, 87.2, <u>Notice ARC 2729B</u>					9/3/03 330
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Wild turkey spring hunting—legal weapon for bow hunting,					
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9:50	PHARMACY EXAMINERS BOARD[657]	Terri Witowski 1-6676			
PUBLIC HEALTH DEPARTMENT[641]“umbrella”					
Pharmacist licenses, 2.4, 2.5, 2.12(5), 2.16, <u>Filed ARC 2651B</u>				8/6/03 221	
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General pharmacy practice—noncontrolled substances prescriptions,					
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Substitution of brand name drug for generic drug—label information, 6.10(1)“g,” <u>Notice ARC 2646B</u>				8/6/03 182	
Authorization by patient for release of confidential information—change in terminology;					
pharmacist identification badge, 8.4(4), 8.15(1)“d,” 8.16(2)“a,” 8.16(3)“d,” <u>Notice ARC 2645B</u>				8/6/03 182	
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10:10---10:20 break					
10:20	PROFESSIONAL LICENSURE DIVISION[645]	Lois Churchill 2-6385			
PUBLIC HEALTH DEPARTMENT[641]“umbrella”					
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Cosmetology arts and sciences examiners, 59.4(2), 59.4(3), 59.6(3), 59.6(4),					
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328.8 to 328.10; ch 330, <u>Filed Emergency ARC 2687B</u>				8/6/03 208	

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10:40	INSPECTIONS AND APPEALS DEPARTMENT[481]	Dave Werning	1-7376			
Hospitals—mandatory reporting of abuse; organ and tissue requests and procurement; inspection of critical access hospitals, 51.7(4), 51.8(1), 51.8(1)“a” and “b,” 51.8(1)“d”(1), (2), (4) and (5), 51.8(1)“e,” “f” and “h,” 51.8(2)“c,” 51.8(3)“a” to “c,” 51.8(4)“b,” “e” and “g,” 51.8(5) to 51.8(7), 51.53(5), 51.53(7), <u>Filed</u> ARC 2642B	8/6/03	217				
Hospitals—cross references updated, 51.18(3), 51.52(3), <u>Notice</u> ARC 2643B.....	8/6/03	181				
Residential care facilities and nursing facilities—medications dispensed by veterans administration; use of surge protectors, 58.51, 60.12(1)“c,” 61.12(2), <u>Filed</u> ARC 2641B	8/6/03	219				
10:50	IOWA FINANCE AUTHORITY[265]	Loyd Ogle	2-5650			
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Low-income housing tax credits—2004 qualified allocation plan, 12.1, 12.2, <u>Filed</u> ARC 2719B.....	9/3/03	341				
11:10	REVENUE DEPARTMENT[701]	Dave Casey	1-6163			
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Ethanol blended gasoline tax credit, 42.16, 52.19, <u>Notice</u> ARC 2710B	8/20/03	290				
Tobacco product manufacturers’ obligations and procedures, ch 85 divs I and II, 85.21, 85.22, <u>Filed Emergency</u> ARC 2686B.....	8/6/03	213				
11:30	WORKFORCE DEVELOPMENT DEPARTMENT[871]	Joe Bervid	1-8116			
Claims and benefits, 24.1, 24.1(1), 24.1(12)“b,” 24.1(25), 24.1(25)“b”(2), (8), (9), (12) and (22), 24.1(52), 24.1(67), 24.1(68)“a,” 24.1(78), 24.1(89), 24.1(113)“a,” 24.1(115), 24.2(1)“a”(1), 24.2(1)“b,” 24.2(1)“b”(8) and (9), 24.2(1)“c”(1), (3), (5) and (6), 24.2(1)“e” and “g,” 24.2(2)“a,” “b” and “d,” 24.2(2)“e”(3), 24.2(3)“a” and “b,” 24.2(4)“a,” 24.3(1), 24.3(3) to 24.3(6), 24.4, 24.4(1) to 24.4(3), 24.5(1), 24.5(1)“a,” 24.5(2), 24.5(2)“f,” 24.5(3), 24.5(4), 24.8(1)“a,” 24.8(2)“a” and “d,” 24.8(3)“a” and “b,” 24.9(2)“a,” 24.11(1), 24.11(2)“a” and “b,” 24.11(3), 24.11(3)“a,” 24.11(4)“a,” “c,” “d” and “g,” 24.11(6)“b,” 24.11(8), 24.13(1), 24.13(4)“i,” 24.17(1), 24.22(2)“i”(3), 24.22(2)“m,” 24.22(3)“a”(4), 24.22(3)“b,” “e” and “f,” 24.22(3)“f”(1), (2) and (4), 24.22(3)“g” to “i,” 24.23(13), 24.23(14), 24.23(20), 24.23(21), 24.23(32), 24.23(35), 24.23(36), 24.23(38), 24.23(39), 24.24(1)“b,” 24.24(5), 24.24(6), 24.24(16), 24.28(5), 24.28(8), 24.29(1), 24.29(3), 24.31(2), 24.31(6), 24.32(3)“b,” 24.33(2)“a” to “c,” “e,” “f,” “i,” “j,” “m” and “p,” 24.33(3)“a” and “b,” 24.34(6), 24.34(7)“a” to “c,” 24.35(1), 24.35(2), 24.35(2)“b” to “d,” 24.35(3), 24.36(1), 24.36(2), 24.37(1)“b”(1), (2) and (5), 24.37(1)“e”(1) and (2), 24.37(1)“f”(2), 24.38(1)“a” and “e,” 24.40(1), 24.42, 24.46(1), 24.46(5)“a,” 24.46(5)“c”(4), 24.47, 24.50(1) to 24.50(5), 24.52(8), 24.52(12), 24.58, 24.58(4), 24.59(5), 24.59(6), 24.60(2)“b” and “d,” <u>Filed</u> ARC 2671B	8/6/03	234				
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No representative requested to appear						
XX:00	COLLEGE STUDENT AID COMMISSION[283]					
EDUCATION DEPARTMENT[281]“umbrella”						
Federal family education loan programs, ch 10, <u>Filed</u> ARC 2668B	8/6/03	215				
Osteopathic physician recruitment program, ch 14, <u>Filed</u> ARC 2667B.....	8/6/03	215				
Physician loan payments program, rescind ch 23, <u>Filed</u> ARC 2666B.....	8/6/03	215				
Chiropractic graduate student forgivable loan program, ch 32, <u>Filed</u> ARC 2665B	8/6/03	215				
Teacher shortage forgivable loan program, ch 35, <u>Filed</u> ARC 2664B.....	8/6/03	216				
Governor Terry E. Brands Iowa state fair scholarship program, ch 36, <u>Filed</u> ARC 2663B.....	8/6/03	216				
XX:00	CREDIT UNION DIVISION[189]					
COMMERCE DEPARTMENT[181]“umbrella”						
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XX:00 EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]"umbrella"			
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Endorsements for elementary and secondary school principals, 14.142(1), 14.142(2), <u>Notice</u> ARC 2669B	8/6/03	178	
Abuse identification training for renewal of substitute authorization, 14.143(3), <u>Filed</u> ARC 2712B	8/20/03	304	
Evaluator training required for renewal of administrator's license, 17.7(3), 17.7(4), <u>Filed</u> ARC 2713B	8/20/03	305	
Abuse identification training for renewal of driving instructor authorization, 21.5, <u>Filed</u> ARC 2714B	8/20/03	305	
Paraeducator certificates, 22.6(5), 22.7(2), 22.7(5), 22.13(1), <u>Notice</u> ARC 2715B	8/20/03	268	

XX:00 EMERGENCY MANAGEMENT DIVISION[605]

PUBLIC DEFENSE DEPARTMENT[601]"umbrella"			
Local emergency management commissions, 7.3(4)"d," <u>Notice</u> ARC 2737B , also <u>Filed</u> Emergency ARC 2738B	9/3/03	336	

XX:00 ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Iowa election campaign fund; public records and fair information practices;			
civil penalties for late campaign reports, chs 2, 3, 6, 10, <u>Filed</u> ARC 2692B	8/20/03	306	
Prohibition on contributions and independent expenditures by foreign nationals, 4.28, <u>Notice</u> ARC 2702B	8/20/03	272	
Political corporations, 4.50, 4.51, <u>Notice</u> ARC 2695B	8/20/03	272	

XX:00 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]"umbrella"			
Electronic delivery of group life insurance certificates, 30.8, <u>Filed</u> ARC 2677B	8/6/03	220	
Electronic delivery of accident and health group insurance certificates, 35.8, <u>Filed</u> ARC 2678B	8/6/03	220	

XX:00 LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D]

Professional Licensing and Regulation Division[193]			
COMMERCE DEPARTMENT[181]"umbrella"			
Description of organization; examinations and licensing; continuing education; uniform rules; sales of goods and services; waivers; rules of professional conduct, rescind chs 1 to 8; adopt chs 1 to 4, <u>Filed</u> ARC 2691B	8/20/03	306	

XX:00 TRANSPORTATION DEPARTMENT[761]

Intermodal projects; railroads; highway-railroad grade crossing surface repair fund;			
highway grade crossing safety fund, 201.1, 201.5(1), 201.5(2), 201.5(3)"c," 201.5(4), 201.8(1), 201.8(3), 201.9(1), 201.9(4), ch 800 title, 800.2 to 800.4, 800.15(4), 800.15(8), 800.15(9), 800.20(1), 802.1(1), 802.2, 810.1, 810.2(2), 810.5, 811.1, 820.2 to 820.5, ch 821, 830.2, 830.3(2), 830.3(4), 830.4(2), 831.3, 831.10(1), <u>Filed</u> ARC 2661B	8/6/03	229	